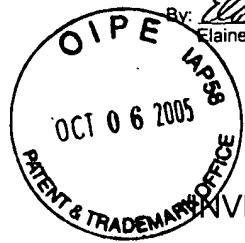


EV 702 962 460 US
10-6-05

I hereby certify that this paper, and all documents indicated therein as being attached are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Issue Fee, P.O. Box 1450, Alexandria, VA 22313-1450.

By: *Elaine M. Checovich*
Elaine M. Checovich



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Jeffrey J. Folkins

TITLE : ALTERNATE IMAGING MODE FOR MULTIPASS DIRECT MARKING

APPLICATION NO. : 10/040,691

FILED : January 7, 2002

CONFIRMATION NO. : 4934

EXAMINER : S. K. Singh

ART UNIT : 2626

ALLOWED : September 13, 2005

ATTORNEY DOCKET NO. : A1301
XERZ 2 00454

RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Issue Fee

Dear Sir:

Applicant gratefully acknowledges the indication as to the allowance of the present application.

However, applicant respectfully submits the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance may be set forth in instances in which ". . . the Examiner believes that the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2004)). In the present case, applicant believes the record as a whole does make the reasons for allowance clear and, therefore, no statement

by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicant's claimed invention as reflected in the specification and the applicant's responses to the Examiner's office actions.

Therefore, while applicant believes the claims are allowable, applicant does not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

10/6/05

Date



John S. Zanghi
Reg. No. 48,843
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582



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CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

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Date of Deposit: 10-6-05

I hereby certify that the attached Fee(s) Transmittal Form, Issue Fee, Publication Fee, Response to Statement of Reasons for Allowance and "Fee Address" Indication Form are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Elaine M. Checovich
(Typed or Printed Name of Sender)

Elaine M. Checovich 10-6-05
Signature Date